

ATTACHMENT 1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. Civil Action No. 05-11457-EFH

C T SYSTEMS, INC.,)
v.)
Plaintiff,)
v.)
Colonial Care of Alleghany County, LP)
d/b/a Brian Center Nursing Home,)
Defendant.)
DISMISSAL

NOW COME Plaintiff and Defendant, through counsel, and jointly stipulate and agree, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, that this action is hereby dismissed with prejudice. The parties further stipulate and agree that each party is responsible for its own costs and attorneys' fees and that the Court shall retain jurisdiction as necessary to enforce the agreement between the parties upon which this dismissal is based.

Respectfully submitted on the 19 day of October, 2005.

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